

# UNAMI FOCUS

## *Voice of the Mission*



News Bulletin on UNAMI Activities

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### SRSR Activities

From 8 to 14 May, the Special Representative of the Secretary-General for Iraq Ashraf Qazi visited New York for an in-depth consultations with the Secretary-General, the Deputy Secretary-General, Mark Malloch Brown, the Acting Chef de Cabinet Alicia Barcena and Under-Secretary-General (USG) for political Affairs Ibrahim Gambari and USG for Security and Protection David Veness about UNAMI's work programme for the remainder of 2006. He also briefed the Foreign Ministers of Saudi Arabia, Egypt and Jordan on the current situation in Iraq and explained UNAMI's work in the country. He discussed a range of initiatives in support of national reconciliation and the new Iraqi administration with the US State Department Coordinator of Iraq Policy, Ambassador Jim Jeffrey. The participants endorsed UNAMI's efforts in supporting the formation of a government of national unity, provide capacity building for the Prime Minister's Office and line ministries, coordinate the contributions of the donor community, provide inputs and guidance to Iraqi community leaders engaged in the Baghdad Peace Initiative and encourage the overall effort of the international community in supporting the new government. UNAMI's current logistical, accommodation and security arrangements were also reviewed to ensure their compatibility with the mission's anticipated requirements in the second half of 2006.

On the occasion of the World Press Freedom Day, that fell on 3 May, the SRSR expressed his firm support to the Iraqi media and its effort to persevere a professional conduct of its work despite innumerable odds and continuing violence. According to the Committee to Protect Journalists (CPJ), more than 70 journalists have been killed on duty in Iraq since March 2003. Many others have been maimed, detained or threatened while pursuing the right to freedom of expression. "Some of them we had the privilege to know in person," said Mr. Qazi.

On 23 April, the SRSR congratulated Iraq's new political leadership on the election of its President, Prime Minister and Speaker of the National Assembly. He called on the elected officials to form a government of national unity. In a message delivered on behalf of Secretary-General Kofi Annan, the SRSR voiced hope that this election "leads to the strengthening of democratic institutions and consolidation of the political process."

Continuing his efforts to bring an end to the rising sectarian violence, the SRSR on 19 April discussed with the country's leading Shiite Muslim cleric, Grand Ayatollah Ali Al-Sistani the need to form a government of national unity as soon as possible. The meeting took place in the Muslim Shiite holy city of Najaf.

The SRSR Ashraf Qazi called on 18 April for the speediest possible formation of a government of national unity to prevent rising sectarian tensions from spiraling out of control after the 17 April prolonged violence in the Adhamiya quarter of Baghdad.

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### **Annan Appoints Jean-Marie Fakhouri as his Deputy Special Representative for Iraq**

A long-serving Lebanese official with the United Nations refugee agency (UNHCR) was on 3 May as Secretary-General Kofi Annan's Deputy Special Representative for Iraq, focusing on humanitarian relief, reconstruction and development in the war-ravaged country.



The newly-appointed Deputy Special Representative for Iraq Jean-Marie Fakhouri

Jean-Marie Fakhouri comes to the new assignment after serving in what has been termed the world's worst humanitarian crisis – that unfolding in Sudan. There, he served as UNHCR's Director of Operations, a post which required him to direct activities of 840 agency staff in the region addressing the needs of Sudanese refugees, returnees and internally displaced persons.

During his 25-year tenure at UNHCR, Mr. Fakhouri has managed other humanitarian operations and complex emergencies, serving in various capacities both at the Geneva Headquarters and in field locations such as Iraq.

The 55-year old envoy is fluent in English, French and Arabic. He succeeds Staffan de Mistura, who held the post since January 2005.

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### **Office of Constitutional Support in UNAMI Holds a Workshop in Italy**

Office of the Constitutional Support (OSC) in UNAMI organized a four-day workshop entitled: The Judiciary in Iraq: Role, Competence and Perspectives for the Constitutional Review and Implementation Process. The workshop, which is the second event in UNAMI/OCS's programme of Multi-Party Dialogues on the constitutional review options constitutional implementation, was held in

#### INDEX:

- SRSR Activities	1
- Appointment of DSRSG Fakhouri	1
- OCS Workshop in Italy	1
- Electoral Update	2
- Constitutional Support Newsflash	2
- Human Rights News	2+3
- Relief, Reconst & Develop Activities	3
- Political Update	3
- Brief from PIO	4
- Fiji Guard Unit Handover	4

Italy (Rome and Siracusa) from 10 – 13 April. The meeting was well attended by 18 Iraqi delegates and four International experts along with OCS staff who were made available to the discussions as substantive resource persons. UNDP and the International Institute of Higher Studies in Criminal Sciences (ISISC) partnered in the organization of the event.

The meeting agreed on a set of recommendations of issues to be considered going forward and, usefully (at OCS prompting), that a Working Group be established in Baghdad to continue their debate. This outcome ensures, regardless of whether there is a constitutional review process that a mechanism now exists through which to address some of the important issues raised for the Judiciary by the new Constitution.

Delegates requested UNDP to assist with capacity building of the Judiciary and for UNAMI to service the Baghdad Working Group and provide expert advice on the issues raised.

**Participants**

Iraqi delegates participated in the meeting representing political parties, the judiciary, Office of the President, Office of the Prime Minister and academia. UN agencies in attendance were UNAMI (OCS), UNDP, OHCHR and the International Criminal Tribunal for the Former Yugoslavia (ICTY) in addition to ISISC.

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**Electoral Update**

The UN-led International Electoral Assistance Team (IEAT) provided strategic and operational support to the drafting of the post-election operational plan. This included field coordination, logistics, and security in relation to securing materials, ballots, and other electoral items. The IEAT also provided coordination assistance in the planning and execution of a series of Independent Electoral Commission of Iraq (IECI) departmental workshops aimed at the Lessons Learnt Workshop.

In May 2-4 the Lessons Learnt Workshop took place in Cyprus with participation of the members of the Board of Commissioners of the IECI, heads of department of the electoral administration, representatives of the IEAT, UN EAD NY, the international community as well as international electoral experts. For three days the conference reviewed the most relevant aspects of the Constitutional Referendum and Council of Representatives elections including voter registration, legal framework, public outreach, international electoral assistance and the design of electoral management in Iraq. The conclusions of the conference will soon be finalised. Also, with the support of UNAMI's leadership, on May 11th the IECI's mandate was extended by the decision of the Council of Representatives for three months or until

the new Independent High Electoral Commission is created, which ever is shorter. The IECI will continue as a caretaker commission.

The IEAT is currently focused in addressing the shortcomings identified in the inhouse and LL Cyprus Workshops with a view to strengthening the Iraqi electoral capacity through training, workshops and study trips for the IECI .

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**Constitutional Support Newsflash**

Office of Constitutional Support (OCS) organized a three-day multiparty dialogue on Fiscal Federalism at the Dead Sea, Jordan on 16 May . This meeting is an attempt to cover fiscal and financial constitutional arrangements, the distribution of resources and the management of the economy of Iraq in the context of conflict and post conflict reconstruction and development. 27 Iraqis representing various political parties and the Government have attended.

OCS has been making arrangements to convene the forth multiparty dialogue on human rights and the constitution in Vienna in early June. The venue for the latter was offered by the Austrian government, currently holding the Presidency of the Council of the EU.



UNAMI Spokesman, Head of OCS and some Iraqi personalities in a Press Conference in Baghdad- 30/04/06

OCS has continued to work on the preparatory and conceptual development of a framework for a Peace Accord. OCS has also assisted the Iraqi Council of Minorities in the preparation of their conference, held on 13 May. OCS has been also engaging with UNDP-Iraq to ensure that the programming for the implementation of the constitution is adequately funded and resourced through June 2007.

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**Human Rights News**

UNAMI is releasing today its Bi-monthly report on the human rights situation in Iraq for the months of March and April 2006. While the report covers various human rights concerns, I would like to use this opportunity to highlight to you a few of them. Before I do that, let me emphasize that the specific mandate of UNAMI in this area is to: "Promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq", in keeping with SC Res. 1546. In addition to monitoring the human rights situation, UNAMI is also pursuing a more robust human rights strategy aimed at supporting the development and strengthening of an Iraqi national human rights protection system which can address both current violations as well as past human rights abuses. While limited in its ability to operate and independently verify allegations it receives because of the security situation, UNAMI is working closely with Iraqi Governmental and non-governmental institutions and organizations and considers the role of the media crucial in exposing human rights violations.

During the months of March and April, the enjoyment of human rights in Iraq has been severely undermined by growing insecurity, high levels of violence and a break down in law and order resulting from the action of militias and criminal gangs. The right to life has been severely affected by the ongoing insurgency, terrorist attacks as well as by revenge killings and action by armed groups.

On-going military operations, especially in western and central Iraq, have also severely affected the enjoyment of human rights and have resulted, at times, in the loss of life of civilians.

**Quotation of the Month**

*"Let us, on this occasion, take a pledge to respect the work of the Iraqi media so that they can spread greater respect for these universal values."*

*SRSQ Ashraf Qazi on the World Press Freedom Day.*

Women, children and professionals, including academics and judges, have been increasingly targeted by the on-going violence.

Especially after the 22 February bombing in Samarra, sectarian killings, intimidations and threats have become one of the most significant forms of human rights violation. As a result, the number of internally displaced persons has considerably increased, thus affecting many communities and creating further tensions and socio-economic problems.

The number of detainees held in the country continues to remain high. According to the Ministry of Human Rights, as of 30 April 2006, there were a total of 28,700 detainees – 15,387 in the custody of the MNF; 7,727 held by the Ministry of Justice; 176 juveniles held by Ministry of Labor and Social Affairs; 5,077 held by the Ministry of Interior and 333 by the Ministry of Defense. In relation to January – February 2006, the figures indicate a decrease in the overall number of detainees, especially in Iraqi facilities.

The conditions of detention in Iraqi facilities are generally not consistent with international human rights standards. Prisons and detention centres are overcrowded (with pre-trial detainees and convicted being mixed) and often lack food, hygiene and medical treatment. The physical structure and condition of the facilities themselves are particularly problematic in the southern region and with very weak infrastructures.

Torture and other cruel, inhumane or degrading treatment are allegedly common practice in some facilities. It should be emphasized that under Iraqi Law, the Ministry of Justice is the only institution habilitated to hold detainees. The Ministries of Interior and Defense can only hold individuals in accordance with the short delay prescribed by law.

UNAMI is particularly concerned by reports that judicial release orders are often not respected in detention facilities. Judicial authorities would not appear always able to exercise their power independently or effectively and enforce Iraqi laws in their relation with police forces and militias. Lack of protection of judges and court buildings has been thus a recurring issue. Considering the current detainee population, the number of judges and especially of investigative judges should substantially increase in order to allow the judiciary to deliver justice without delays.

The killing of professionals, including doctors and academics, is another cause for concern. At least 100 professors have been reportedly killed since 2003. A large number of lecturers, teachers and other intellectuals have reportedly stopped their work or left the country. The targeting of judicial professionals is particularly worrisome in the context of the deterioration of law and order. In Baghdad, an investigative judge was killed on 5 April and the president of the Tribunal of First Instance was killed on 25 April.

There are reports that many judges, especially those working on terrorism or serious criminal cases, are facing intimidations or threats, including in the provinces.

As a result of the pervasive violence, Iraqis continue to leave their areas of residence, either voluntarily or as a result of violence or threats by insurgents, militias and other armed groups. According to figures from the International Organization of Migration (IOM), the number of displaced persons since 22 February 2006 reached 14,307 families, or 85,842 persons. The IOM further reported that most of the Shi'a families are leaving central areas of Iraq (Baghdad, Anbar and Salah al Din) towards southern Governorates (Najaf, Qadissya, Wassit and Kerbala). Sunni families are leaving southern areas and moving towards the Governorates of Baghdad, Diyala and Anbar.

It is of grave concern that numerous cases of assassinations, torture, abuse of detainees, and intimidations are frequently inadequately investigated and therefore unpunished. Such a situation may encourage further acts of violence and crime. It is imperative that the new Government addresses on a priority basis the security of citizens and that it renews efforts to investigate all crimes.

There is therefore an urgent need to ensure that police and security forces act in keeping with relevant international human rights standards as well as that they abide by specific standing orders, implementing regulations, and that effective internal accountability systems are put in place so as to deal with possible violations on a day-to-day basis. Equally, it is the Government's responsibility that all allegations of crimes are properly investigated and that those held responsible for crimes are brought to justice.

As part of its mandate, UNAMI is also working to strengthen national capacities and infrastructures in the field of human rights. It sees as a priority to strengthen the administration of justice so as to ensure access to justice for all Iraqis and police and prison administrations acting in keeping with the respect of human rights norms. Legislative reforms; building the capacity of judicial institutions and personnel; promoting human rights and legal awareness; modernizing judicial infrastructure; and setting up an independent and effective national human rights commission are the main objectives of UNAMI's promotion activities.

In addition to reaffirming a commitment to the protection and promotion of rights provided for in the Iraqi Constitution and under international human rights instruments to which Iraq is party, it is equally crucial to give priority to the development of a comprehensive strategy for transitional justice addressing the crimes of the past, through an adequate accountability mechanism, as a basis for healing the wounds of decades of human rights violations and thus facilitating national reconciliation efforts.

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## Relief, Reconstruction & Development Activities

Preparations are ongoing for the UN/World Bank "Briefing on the IRFFI Trust Funds Performance" scheduled for 24 May. The organizing committee consisting of the Canadian Embassy, the UN and the World Bank met to discuss timing and logistical issues. Internally, the UNCT continued its preparation of Cluster fact sheets and agency briefing papers for the information package to be distributed at the meeting.

As part of the work to update the UN Strategy for Iraq 2006 – 2007, the results matrices from the clusters were consolidated and it is expected that a draft of the strategic plan document will be completed next week for final review by the UNCT.

The Humanitarian Affairs Unit continued to monitor ongoing IDP issues related to the recent displacement of between 12,000 and 14,500 IDP families since late February. Overall, the UNCT estimates that there are over 200,000 Iraqi families displaced throughout Iraq, some of who have been displaced for over 25 years. Addressing the larger issues of long-term displacement as well as the ongoing displacement remains a significant challenge for the government and the UN alike.

UNHCR hosted a joint UN/NGO workshop on Conflict Transformation to promote peace-building initiatives at the grassroots/civil society level. The HPSO is supporting the compilation of documentation regarding lessons learned and case studies of similar conflict transformation exercises in other countries in order to develop a better understanding of how dialogue and awareness raising at the local level can support mediation that is more formal and national peace initiatives.

UNAMI has launched a new initiative in Baghdad and Erbil to co-chair fortnightly UNAMI / NGO Coordination meetings with NCCI (NGO Coordination Committee in Iraq). These regular meetings, the last of which was held in Baghdad on 17th May and attended by over forty NGOs, are already improving the collection of information on the fast-evolving IDP situation. In addition, it is a forum for NGOs to openly discuss issues of common concern such as the draft NGO legislation. The Humanitarian and Polical Units linked up on 17th May using the opportunity to brief NGOs on the Baghdad Peace initiative and to hear about the numerous other NGOs initiatives to bring the violence to an end.

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## Political Update

PM designate, Maliki, continued to face impediments on the formation of a government of a national unity, of which

he promised the Iraqi people. One of his UIA partners, the 'Fahdila' i.e. Virtue Party, withdrew from the negotiations, protesting against alleged American interference in the process of government formation.

The 'Tawafuq', Iraqi Accord Front, also mentioned threat of withdrawal unless they got the Ministries of Defence, Education, Planning and Health, besides other positions of State Ministers.

A trend of forming an incomplete government began to emerge, as the Ministry of Interior (MOI) and Ministry of Defence (MOD), still posed as the main obstacle for Al-Maliki'. Several party and media sources indicated that such incomplete cabinet could be announced within the week ending 18 May. In a press conference, held on 15 May, President Talabani objected to the idea of announcing such government, without settlement of MOI and MOD.

On 10 May 06, the Iraqi CoR dissolved the Board of the IECL, according to TAL, and decided to keep the Administration body, as a caretaker, for three months, to look after salaries, documents, and other administrative matters, until the formation of a new Commission, within this period or the issuance of a new legislation. However, in response to a strong objection by the dissolved Board, today, the Speaker has decided to include the Board in the caretaker responsibility only of daily administrative matters.

Nouri Al-Malaki, Iraqi Prime Minister-designate visited the Grand Ayatollah Ali Al-Sistani in Najaf on 27 April. After the meeting Al-Sistani's office issued a statement in which it called for the government to have sole responsibility for providing security to the people and to put an end to terrorist acts. Al-Malaki confirmed that he would make security and dealing with the militias his priorities. During the rest of the week Prime Minister-designate held intensive consultations with political parties' representatives on the composition of his government.

U.S. Secretary of State Condoleezza Rice and U.S. Defense Secretary Donald Rumsfeld arrived in Baghdad on April 26. During their two-day visit the American official met wide spectrum of Iraq political leaders.

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### Brief from Public Information Office (PIO)

UNAMI Public Information Office (PIO) had a meeting with the Office of Human Rights on the 8th of May to discuss the possibility of increased cooperation to promote issues of HR in the Iraqi public. Both offices have reached understanding on a number of recommendations including increased presence of the HR Office on UNAMI website, organizing a press conference in the presence of the SRSG to make the bi-monthly HR report public, increased cooperation in information exchange.

PIO is organizing in cooperation with the Office of HR a press conference in the Convention Centre on the 23rd of May at 11:00 am for national and international media.

The objective of the press conference is to launch the bi-monthly report of HR public in the presence of the SRSG, the chief of HRO, the chief of PIO and other members of both the HRO and PIO office that will be announced in due time.

Along with the Office of Constitutional Support (OCS), the Public Information Office (PIO) arranged for a press conference at UNAMI HQ in Baghdad for the Iraqi delegates who had participated in the recent seminar in Italy on the implications of the judiciary in the new constitution in Siracusa, Italy. The discussion focused on the lessons learned from Italy, and the necessity to include these in the constitutional review process if and when it takes place. Media interest focused in particular on the responsibility of the ministry of justice in relation to arbitrary detention of the civilians. As a tribute to the 'World Press Freedom Day' the PIO issued a press release on behalf of the SRSG.

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### Fiji Guard Handover

The United Nations Fiji Guard Unit in Iraq recently completed its routine rotation on 05 May 06 in Baghdad. In a parade where the Sovereigns and Regimental Colours were also blessed, UNGU command was handed by outgoing FGU 3 commander, Lieutenant Colonel Mason Smith to the new Fiji Guard Unit 4 Commanding Officer, Lieutenant Colonel Seremaia Tuikoro. That ceremony officially ended their two-week handover period passing on the responsibility of UNGU to the new arrivals. The parade and ceremony was officiated over by the current contingent commander, Brig. Gen. Naivalurua and both unit chaplains. The previous guard unit have seen arrived back home safely and have reunited with their families.

This new UN Guard Unit is by far the biggest to be deployed from Fiji, the normal company in Baghdad and the debutant Erbil company. Both companies have since settled in well to their tasks, knowing the high standards to be maintained, the challenge being continuous improvement on the previous units performance. Therefore, for the next six months, new Fijian faces but one unified role – top priority security for UN staff and premises through 'Assurance, Visibility and Consistency'.

Last Sunday, 14 May 2006, the Fiji national and UN flags into the Baghdad morning sky for the first time by UNGU 4. This was followed Mothers Day Sunday (a universal remembrance Sunday celebrated by many) church service at the UN Diwan complex auditorium. The dedicated Sunday was doubly memorable this year, firstly due to the number of female in this unit being the most in any of Fiji's overseas deployments and secondly, this

being the first Sunday celebrated together as the new guard unit in Baghdad. A fitting start to what is expected to be ongoing national contribution to the UN efforts in Iraq.

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### Photos from Fiji Guard Activities



Visit of the Tongan Chief of Defence Forces (CDF)  
9/05/06



Outgoing Australian Senior National Officer (SNO)  
6/05/06



Mother Sunday Service  
14/05/06

### UNAMI Focus

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